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02/05/02**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Short et al. Art Unit: 1652
Serial No.: 09/685,432 Examiner P. Tung
Filed: October 10, 2000
Title: HIGH THROUGHPUT SCREENING FOR SEQUENCES OF INTEREST

Commissioner of Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Requirement for Restriction mailed November 9, 2001, Applicant respectfully submits that the groups set out by the Examiner do not match the pending claim set. In particular, the Restriction identifies Group I as claims 1-48 and 51, directed to a method for identifying a bioactivity or biomolecule and Group II as claims 49 and 50, drawn to an automated capillary array system. The above-identified patent application contains claims 1-61 (not 51) and does not contain claims drawn to an array system at all. Upon review of the pending claims, Applicants submit that a single invention directed to a method for identifying a bioactivity or biomolecule is encompassed by claims 1-61, and therefore restriction of the pending claims would be inappropriate. Accordingly, Applicants respectfully request

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on January 9, 2002, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

Karen LePari

In re Application of:
Jay M. Short, et al.
Application No.: 09/685,432
Filed: December 10, 2000
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examination of all pending claims as filed. If the Examiner would like to discuss this response, please contact the Applicants' representative noted below.

Respectfully submitted,

Dated: January 9, 2002

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